



**Montgomery County Government**

**REQUEST FOR DEVELOPMENT PROPOSALS**

**For**

**SIDNEY KRAMER UPCOUNTY REGIONAL SERVICES CENTER SITE**

**12900 Middlebrook Road**

**Germantown, Maryland**



**ISSUED BY:**

**MONTGOMERY COUNTY GOVERNMENT  
DEPARTMENT OF GENERAL SERVICES  
101 MONROE STREET, 9<sup>TH</sup> FLOOR  
ROCKVILLE, MARYLAND 20850**

**RESPONSES DUE BY: SEPTEMBER 5, 2014 4:00 PM**

**MONTGOMERY COUNTY GOVERNMENT  
ISIAH LEGGETT, COUNTY EXECUTIVE**

**SIDNEY KRAMER UPCOUNTY REGIONAL SERVICES CENTER SITE  
REQUEST FOR DEVELOPMENT PROPOSALS**

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## **I. Overview**

Montgomery County, through this Request for Development Proposals (RFDP), seeks creative, viable development proposals from qualified teams for residential development on County-owned property located at 12900 Middlebrook Road, Germantown, MD. The 5.5-acre site is currently improved with the Sidney Kramer Upcounty Regional Services Center (SKURSC) and surface parking for its patrons. The County is seeking proposals to redevelop the surface parking lot with residential development to include a minimum affordability component of 30% and replacement parking for the SKURSC.

The facilities, programs, and services housed at this site are essential to the delivery of County government services in the Up County. It is the County's expectation that the services and uses currently provided by this facility continue. That stated, the County is open to creative development concepts which may utilize reconfiguration, redevelopment or improvement of the existing facility to advance the County's objective of increasing the housing stock in the Upcounty and increasing the utility of the SKURSC site.

## **II. Objectives**

Through a long-term lease, land sale, or other scenario proposed by Offerors, the County is seeking development proposals ("Proposals") for the site that will achieve the following objectives:

1. Utilize County assets to advance the quality of life for its residents;
2. Increase the residential component of The Town Center District as envisioned in the 2009 Germantown Town Center Employment District Sector Plan; and
3. Maintain current level of service provided at the SKURSC including adequate on-site or off-site parking for the existing use.

## **III. Site Location and Description**

The SKURSC is the largest of five geographically-based Regional Service Centers, which provide access to a variety of County services in closer proximity to where County citizens live and work. Services offered at each Regional Services Center are targeted to address specific community needs. The 5.5 acre SKURSC site (241,758 square feet) is the largest of the Centers, improved with a 4-story, 97,453-square-foot building housing 11 agencies including Health and Human Service agencies, a workforce development office, the County's Volunteer Center, a day care center, and regional offices of the Montgomery County Public Schools. Surface parking on the site accommodates approximately 175 cars, however the Germantown Commons Shopping Center is frequently used for overflow parking.



**Sidney Kramer Upcounty Regional Services Center Site**

The SKURSC is located in the northwest quadrant of the intersection of Germantown Road (MD-118) and Middlebrook Road. Due south, across Germantown Road, lies Germantown Square Urban Park. To the north, east, and west, the SKURSC abuts respectively, Germantown Commons Shopping Center, the Sugarloaf Shopping Center, and The Shops at Town Center.

The SKURSC is accessed from Middlebrook Road by turning southeast onto a private road that separates the SKURSC and the Germantown Commons Shopping Center. This road continues through the Sugarloaf Shopping Center to its southern terminus at Wisteria Drive. At Middlebrook, the road's northern terminus is aligned with Century Boulevard, which the 2009 Germantown Employment Sector Plan envisions as the Plan's main street and town center.

#### **IV. Master Plan and Zoning**

The 2009 Germantown Employment Sector Plan directs new uses, activity, and design attention to the Town Center. It highlights Century Boulevard, which is immediately proximate to the SKURSC, as the community's main street, anchored with transit, lined with shops and restaurants, its library and arts center as focal points for civic life. The plan also recommends that complimentary residential and employment uses will contribute to Century Boulevard's vitality.

The Plan envisions mixed-use buildings that place housing above retail and other ground floor uses. It establishes higher densities and a minimum building height of three stories, where



feasible, to provide more opportunity for residential units above commercial spaces. It proposes lowering parking requirements, which reduce building costs. The Plan also recommends identifying County-owned property for affordable housing opportunities.

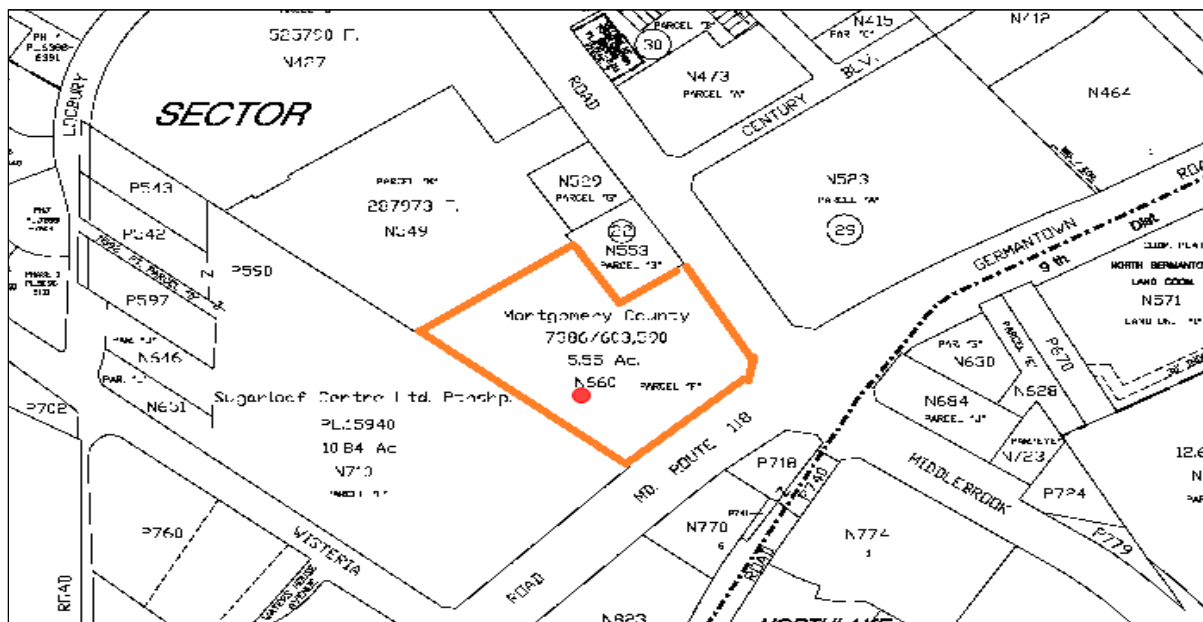
The Plan indicated that high-rise residential housing was not part of Germantown's current housing mix and suggested that it would be appropriate in the Town Center. The Plan also calls for accommodating the anticipated large increase in the number of residents and workers 55 years of age and older, who wish to age in place.

The Sector Plan recommended that SKURSC and Germantown Commons Shopping Center be rezoned from then existing TS zoning to TMX-2 zoning, with up to 1.0 FAR with a maximum of 40% residential uses. It proposed that properties fronting Germantown Road (MD 118) between Wisteria Drive and Aircraft Drive should have building heights up to 100 feet and 60 feet along Century Boulevard.

The TMX-2 Zone allows for standard and optional methods of development. The TMX-2 Zone allows the creation of a contributory fund so that optional method projects may provide all or part of a project's public use space and public amenities and facilities off-site.

Relative to the SKURSC itself, the Plan recommends that providing public structured parking be evaluated.

The final adoption of the Zoning Rewrite by the County Council, including adoption of the map amendments, is expected Fall 2014.



Sidney Kramer Upcounty Regional Services Center - Tax Account Number: 02262258 Liber: 7386 Folio: 603

## **V. Submission Requirements**

All Proposals must provide a thoughtful development concept and explanation of key factors and milestones for its successful implementation. The County reserves the right to request additional information during the RFDP review period.

**FAILURE OF A PROPOSER TO SUBMIT ALL REQUIRED INFORMATION MAY RENDER THE PROPOSAL INCOMPLETE AND INELIGIBLE FOR FURTHER CONSIDERATION.**

The Proposal must include the following elements:

1. Cover: The cover should contain the RFDP title, the Proposer's name and the submission date.
2. Transmittal Letter: The transmittal letter should not exceed two pages and should contain:
  - A. The name, title and contact information, including phone number and email address, of the individual with authority to bind the Proposer. This person should also sign the transmittal letter.
  - B. The address and legal form of the Proposer. If a joint venture is involved, provide the above information for all participating firms.
  - C. Statement acknowledging receipt of each addendum that the County may issue to the RFDP.
  - D. Statement that, if selected, the Proposer will negotiate in good faith with the County.
  - E. Statement that the firm is not in arrears in the payment of any obligation due and owing to the State of Maryland or Montgomery County, including tax payments and employee benefits, and that it shall not become so during the term of the agreement if selected.
  - F. Statement that the Proposal is valid for a minimum of 120 days from the date of submission.
  - G. Statement that the firm grants to the County a non-exclusive right to use, or cause others to use the contents of its Proposal, or any part thereof, for any purpose.
3. Statement of Qualifications:
  - A. *Background Information*: A description of the Proposer, including organizational structure, identification of principals, and length of time in business. If the Proposer is a joint venture, information for each entity should be furnished, as well as an explanation as to why a joint venture is the preferred arrangement for the proposed development project.

- B. *Financial Capability:* A description of the Proposer's financial capability to complete the proposed project including, with examples, typical financing mechanisms the Proposer has used on similar projects. This section should provide evidence of the Proposer's ability to obtain sufficient financing for the project. Under separate cover and marked "Confidential" the Lead Developer and if applicable, any member of the joint venture having an equity stake of 20% or greater in the business entity to be formed for this Project, must provide current Interim statements and audited annual financial statements for their respective firm's last three fiscal years. Developers with an equity interest of less than 20%, or having no equity stake at all, must provide current Interim and Review statements for their respective firm's last three fiscal years. An appropriately authorized officer/managing member of each firm providing financial information should certify that their respective statements present an accurate representation of that firm's financial condition as of the date of the statements.
  - C. *Project Experience:* Description of the Proposer's experience with similar developments. This information should clearly describe the size, scope and financial structures of those projects, where located and when completed. For projects not yet complete, the Proposer should include the anticipated completion date. Additionally, provide references and contact information, including name, telephone number and email address for each project described.
  - D. *References:* Provide the names, phone numbers and email addresses of at least three commercial or institutional credit references for the Proposer and, if applicable any member of the proposed joint venture. Include a letter to each of the credit references, authorizing them to respond to inquiries from the County.
4. Project Vision: This section should describe the Proposer's vision for the project and how this vision meets the County's objectives. This vision should identify the following:
- A. Milestones necessary to implement the vision (pre-development, land use approvals, etc.).
  - B. A concept plan that illustrates the proposed development plan, layout, square footage (including gross measured area, rentable area, and useable area), and other characteristics of the development, including building height and density. The concept plan must identify the percentage of affordable housing unity which must be a minimum of 30%

of the total units, affordable to households at or below 60% of the area median income. Deeper levels of affordability are preferable.

- C. A description of whether the existing SKURSC will either be reconfigured or redeveloped and how the required replacement parking for the facility will be provided.
- D. Project budget showing sources and uses of development funds and 15-year operating pro forma. The pro forma must include cost, revenue and inflation assumptions, as follows:
  - Pre-development costs;
  - Soft and hard costs;
  - Infrastructure costs; and
  - Cash flows to the Proposer and the County.

The project must clearly identify the total number of affordable units and the percentage and income breakdown of the affordable units. Any assumptions/projections regarding stabilized rents or when stabilized rents will be achieved should be specified. Estimates of the project's asset value to the Proposer and to the County should be included. In addition to providing a hard copy of the budget, the Proposal should include a soft copy in Excel format on a CD-ROM.

- E. A proposed ownership structure.
- F. A statement of whether the proposed development is contingent on any County or State government action (e.g., regulation changes, public funding-grants, loans), etc. and a listing of these contingencies.

- 2. Electronic Files: One copy of the entire Proposal shall be submitted in PDF format on a CD-ROM as one single file

## VI. Evaluation Criteria

Upon receipt of the Proposals, the County's Qualification and Selection Committee ("QSC") will review and evaluate the Proposals in accordance with the criteria listed below. Interviews may be conducted with development teams. Decisions and recommendations by the QSC will be consensus-based.

The County's goal is to select the best Proposal from the most qualified Proposer that meets the County's objectives for this key site. The following evaluation criteria will help the County achieve its objectives for the Site:

- 1. Overall vision and quality of the proposed development: 30 points
- 2. Meeting the County's objectives for the Site: 40 points
- 3. Expertise and financial capacity to implement the vision: 20 points
- 4. Proposed timeframe for completion of the development: 10 points



Total: 100 points

## **VII. Administration of the RFDP**

**Proposals are due by 4:00 pm on September 5, 2014.** If a memorandum of understanding or other form of agreement acceptable to the County cannot be successfully negotiated with the top-ranked Proposer, the County may proceed to negotiate with the Proposer that submitted the next highest ranked Proposal. Alternatively, and in the County's discretion, until an initial letter of intent or memorandum of understanding is entered into, the County may elect to negotiate with more than one Proposer at a time.

Any amendments to the RFDP will be posted on the Office of Planning and Development's website, which can be located through the County's website at:

<http://www.montgomerycountymd.gov/DGS/OPD/UpCountyRSC.html>

The County expects the RFDP to meet the following schedule, but reserves the right to amend this schedule or, in its sole discretion, to cancel the solicitation at any time.

RFDP Release	July 23, 2014
Site Tour/Pre-Submission Meeting	August 6, 2014 at 10:00 A.M.. ( <i>Optional</i> )
Deadline for Questions	August 25, 2014 at 4:00 P.M.
<b>Proposals Due</b>	<b>September 5, 2014 at 4:00 P.M.</b>

## **VIII. Submittal Instructions**

All Proposals shall include one original and four (4) copies in 8½" by 11" format with no smaller than 11-point font; not exceed 25 pages, not including credit references, Letters of Intent ("LOIs"), Memoranda of Understanding ("MOUs"), renderings, Excel-based worksheets/models, tables, charts, etc. Submissions must be bound and sealed, and must be mailed or delivered to:

Ms. Ronnie L. Warner  
Redevelopment Manager  
Office of Planning and Development  
Montgomery County Department of General Services  
101 Monroe Street, 9<sup>th</sup> Floor  
Rockville, MD 20850

The envelope must state "RFDP – Sidney Kramer Upcounty Regional Services Center Site." Written Proposals will be evaluated upon only what is submitted. It is incumbent upon the Proposer to submit sufficient information to enable the County to fully evaluate the Proposer's capabilities and experience. Proposals to this RFDP received after the date and time specified

are considered late and may not be considered. The County will not accept fax Proposals or Proposals sent via e-mail. Unless requested by the County, additional information cannot be submitted by the Proposer after the deadline set for receipt of Proposals. Proposer will be notified in writing of any change in the specifications contained in this RFDP.

Prior to the time and date designated for receipt of Proposals, Proposals submitted early may be modified or withdrawn only by notice to the County receiving Proposals at the place and prior to the time designated for receipt of Proposals.

Timely modifications or withdrawals of a Proposal must be in writing and must be received by the County on or before the date and time set for receipt of Proposals.

Withdrawn Proposals may be resubmitted up to the time designated for the receipt of Proposals provided that they are then fully in conformance with the RFDP.

#### **IX. Optional Pre-Submission Conference & Tour**

There will be an optional pre-submission tour and conference on August 6, 2014 at the site.

A tour of the site will begin at 10:00 A.M. followed immediately by a pre-submission meeting. The County will not provide transportation to or from the site.

#### **X. Conditions and Limitations**

The County reserves the right to reject any or all Proposals submitted in response to this RFDP, advertise for new Proposals or to accept any Proposal deemed to be in the best interest of the County. A Proposal submitted in response to this RFDP does not constitute a contract and does not indicate or otherwise reflect a commitment of any kind on behalf of the County. Furthermore, this RFDP does not represent a commitment or offer by the County to enter into an agreement with a Proposer or to pay any costs incurred in the preparation or submission of a Proposal to this RFDP. Furthermore, this RFDP does not commit the County to pay for costs incurred in the negotiation or other work in preparation of, or related to, a final agreement between the selected Proposer and the County.

Any commitment made by the County will be subject to the appropriation of funds by the Montgomery County Council to carry out any such commitments and the execution of a contract acceptable to the County.

Written questions regarding the RFDP should be directed, via email, to Ronnie Warner at [Ronnie.Warner@montgomerycountymd.gov](mailto:Ronnie.Warner@montgomerycountymd.gov). No verbal questions, outside of the Pre-Submission Meeting, will be accepted.

All questions, and the responses from the County, will be posted on County's website at:

<http://www.montgomerycountymd.gov/DGS/OPD/UpCountyRSC.html>

The Proposals and any information made a part of the Proposals will become a part of the project's official files. The County is not obligated to return the responses to the Responders. This RFDP and the selected team's response to this RFDP may, by reference, become a part of any formal agreement between the Responder and the County.

The County reserves the right, in its sole and absolute discretion, to reject any and all Proposals received in response to this RFDP and to cancel this RFDP at any time, for any or no reason, prior to entering into a formal contract. The County further reserves the right to request clarification of information provided in Proposals submitted in response to this RFDP without changing the terms of this RFDP.

If a Proposer contends that any part of its Proposal is proprietary or confidential and, therefore, is limited to disclosure under the Maryland Public Information Act, Md. Code Ann. State Gov't §§10-611 *et seq.* (the "MPIA"), the Proposer must identify all information that is confidential or proprietary and provide justification for why such materials should not be disclosed by the County under the MPIA. The County, as custodian of Proposals submitted in response to this RFDP, reserves the right to determine whether or not material deemed proprietary or confidential by the Proposer is, in fact, proprietary or confidential as required by the MPIA, or if the MPIA permits nondisclosure. The County will favor disclosure of all Proposals in response to any request for disclosure made under the MPIA.

Proposers must familiarize themselves with the site and form their own opinions as to suitability for any proposed development on the site. The County makes no representations as to the site. The County assumes no responsibility for site conditions including, but not limited to, environmental and soil conditions on the site. Proposers are responsible for their own background investigation as to restrictions, if any, bearing upon title, zoning, subdivision, transportation, developability, utilities, and physical conditions at the site. Soils tests and other invasive tests may not be conducted upon the site during the RFDP stage.

Proposers are subject to the provisions of law pertaining to ethics in public contracting including but not limited to the provisions of Montgomery County Code Chapter 11B, Article XII and the applicable provisions of Chapter 19A.

## **XI. Minority, Female and Disabled Participation**

The County encourages contracting and development opportunities with business interests reflecting its diverse population and interests. Therefore, the County encourages Proposers to include where possible meaningful minority, female and disabled ("MFD") participation in the proposed project. This participation could include, but not be limited to, the Proposer teaming with MFD developers, builders and/or subcontractors for the proposed project.